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10/715,942	11/18/2003	Norman Castellani	12504US04	4458

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EXAMINER	
PATEL, DHIRUBHAI R	

ART UNIT	PAPER NUMBER
2831	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/715,942	CASTELLANI ET AL.	
	Examiner	Art Unit	
	DHIRU R. PATEL	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. After further consideration, the finality of the final rejection mailed on 1/4/06 is hereby vacated. This office action replaces previously office sent on 1/4/06 with a new statutory period.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action: A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-7,9-11,13-14, 18, 20 -22,24-26 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bonilla et al (6,114,623).

Bonilla et al disclose:

Regarding claims 1 and 6, a poke-through fitting 10 (see fig 1, column 2 line 59-67) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see figs 4-5, and column 2 lines 60-67), the fitting comprising: an insert sized 110, 112 (top and base, see fig 1,and column 4 lines 1-5) for insertion into

the circular floor opening (see figs 4-5); and four separately formed simplex power receptacles 18 supported by the insert, each of said power receptacles having a separate housing (see fig 1, column 3 line 1). With respect to claim 6, four communication/data jacks 20 supported within the insert (see fig 1, column 2 lines 60-67).

Regarding claims 2 and 7, the assembly of Bonilla et al disclose all the features of the Claimed invention as shown above, including the simplex receptacles are configured to snap fit into a portion of the insert (see fig 1). It is noted that the assembly of Bonilla et al meet the structural limitations.

Regarding claims 4 and 9, the assembly of Bonilla et al disclose all the features of the Claimed invention as shown above, including power receptacles are wired in separate electrical circuits (see figs 2 and 6 and entire column 4). It is noted that the assembly of Bonilla et al meet the structural limitations.

Regarding claims 5 and 10, the assembly of Bonilla et al disclose all the features of the Claimed invention as shown above, including a cover assembly 30 overlying the insert (see fig 1, column 3 lines 8-9), the cover assembly including access covers 216 for selectively covering and exposing the simplex power receptacles (see fig 1, column 6 lines 45-55).

Regarding claim 11, a poke-through fitting 10 (see fig 1, column 2 line 59-67) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see figs 4-5, and column 2 lines 60-67), the fitting comprising: an insert sized 110, 112 (top and base, see fig 1,and column 4 lines 1-5) configured for insertion into

the floor opening (see figs 4-5); the insert having an upper end 110 adjacent to the floor and having a chamber defined therein which extends downwardly from the upper end (see fig 1, column 4 lines 1-6), a cover 30 overlying the insert (see fig 1), the cover having an upper surface, four communication/data jacks 20 mounted within the fitting such that the communication/data jacks do not extend upwardly beyond the upper surface of the cover (see fig 1, column 2 lines 58-67), and four separately formed simplex power receptacles 18 , each power receptacle having a respective housing mounted within the fitting such that the power receptacles do not extend upwardly beyond the upper surface of the cover (see figs 4-5).

Regarding claim 13, the assembly of Bonilla et al disclose all the features of the claimed invention as shown above, including at least two of the simplex power receptacles are wired in separate electrical circuits (see figs 2 and 6 and the entire column 4). It is noted that the assembly of Bonilla et al meet the structural limitations,

Regarding claim 14, a poke-through fitting 10 (see fig 1, column 2 line 59-67) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see figs 4-5, and column 2 lines 60-67), the fitting comprising: an insert sized 110, 112 (top and base, see fig 1,and column 4 lines 1-5) for insertion into the floor opening (see figs 4-5); a cover 30 overlying the insert (see fig 1), the cover having an upper surface (see fig 1); and four simplex power receptacles 18 (see fig 1), each power receptacle having a respective housing (see fig 1) , the power receptacles being mounted within the fitting in a protected fashion such that the power receptacles do not extend upwardly beyond the upper surface of the cover (see figs 4-5).

Regarding claim 18, a method of delivering flush poke-through wiring fitting 10 (see fig 1, column 2 lines 59-67) that is adapted to be supported in a floor opening 12 in a floor 14 of a building structure (see figs 4-5 and column 2 lines 59-67),
the method comprising: providing a cover 30 that overlies the fitting and has an upper surface (see fig 1); mounting four communication/data jacks 20 within the fitting such that the communication/data jacks do not extend upwardly beyond the upper surface of the cover (see figs 4-5); mounting four separately formed simplex power receptacles 18 with the fitting such that the receptacles do not extend upwardly beyond the upper surface of the cover (see figs 4-5) and each of said power receptacles having a separate housing (see fig 1).

Regarding claim 20, further comprising wiring at least two power receptacles in separate electrical circuits (see figs 2 and 6 and entire column 4). It is noted that the modified of Bonilla et al meet the structural limitations.

Regarding claims 21 and 26, a method for providing a poke-through fitting 10 (see fig1, column 2 59-66) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see figs 4-5, column 2 lines 59-66),
the method comprising: providing an insert 110, 112, (top and base, see fig 1,and column 4 lines 1-5) sized for insertion into the circular floor opening (see figs 4-5); and mounting four separately formed simplex power receptacles 18 within said insert(see fig 1) , each of said power receptacles comprising a respective housing (see fig 1) . With respect to claim 26, mounting four communication/data jacks within the insert (see fig 1).

Regarding claim 22, the assembly of Bonillo et al disclose all the features of the claimed invention as shown above, including wherein the receptacles are configured to snap fit into a portion of the insert (see fig 1).

Regarding claim 24, the assembly of Bonilla et al disclose all the features of the claimed invention as shown above, including wiring at least two of the receptacles in separate electrical circuits (see figs 2 and 6, and the entire column 4). It is noted that the assembly of Bonilla et al meet the structural limitations.

Regarding claim 25, the assembly of Bonilla et al disclose all the features of the claimed invention as shown above, including a cover assembly 30 including access covers 216 (see fig 1, column 6 lines 45-52) for selectively covering and exposing the simplex power receptacles (see fig 1). It is noted that the assembly of Bonilla et al meet the structural limitations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-28 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Whitehead (6,417,446) in view of Bonilla et al (6,114,623).

Whitehead discloses:

Regarding claim 1, a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the fitting comprising: an insert sized 20 (body, see figs 1-2, entire column 2 and column 5 lines 4-65) for insertion into the circular floor opening (see figs 1-2 and entire abstract as well as entire column 2); and four simplex power receptacles 98,99 with two housings (see figs 5-7, column 6 lines 48-55) **and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2),** but fails to disclose each of said power receptacles having a separate housing.

Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-67). It is well known in the electrical art to

use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said simplex power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

Regarding claim 2, the modified assembly of Whitehead disclose all the features of the Claimed invention as shown above, including the simplex receptacles are configured to snap fit into a portion of the insert (see fig 1, and entire column 6 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 4, the modified assembly of Whitehead disclose all the features of the Claimed invention as shown above, including power receptacles are wired in separate electrical circuits (see figs 5-7 and column 1 lines 54-57 and entire column 6 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 5, the modified assembly of Whitehead disclose all the features of the Claimed invention as shown above, including a cover assembly 136 overlying the insert (see fig 3A , column 7 lines 25-30 of Whitehead), the cover assembly including access covers 150 for selectively covering and exposing the simplex power receptacles (see fig 3A and entire column 7 of Whitehead).

Whitehead discloses:

Regarding claim 6, a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the fitting comprising: an insert sized 20 (body, see figs 1-2, entire column 2 and column 5 lines 4-65) for insertion into the circular floor opening (see figs 1-2 and entire abstract as well as entire column 2); and four simplex power receptacles 98,99 with two housings and supported by the insert (see figs 5-7, column 6 lines 48-50) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), and four communication/data jacks 126, 127, 162 supported within the insert (please note that a wing 162 which allows the mounting of two additional data jacks, see fig 6, and entire column 7 and column 8 lines 8-10), but fails to disclose each of said power receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-67). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said simplex power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

Regarding claim 7, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including the simplex receptacles are configured to snap fit into a portion of the insert (see fig 1, and entire column 6 of Whitehead). It is

noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 9, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including at least two of the power receptacles are wired in separate electrical circuits (see figs 5-7 and column 1 lines 54-57 and entire column 6 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 10, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including a cover assembly 136 overlying the insert (see fig 3A, column 7 lines 25-30 of Whitehead), the cover assembly including access covers 150 (see fig 3A and entire column 7 of Whitehead) for selectively covering and exposing the simplex power receptacles (see fig 3A and entire column 7 of Whitehead).

Whitehead discloses:

Regarding claim 11, a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the fitting comprising: an insert sized 20 (body, see figs 1-2, entire column 2 and column 5 lines 4-65) for insertion into the circular floor opening (see figs 1-2 and entire abstract as well as entire column 2); the insert having an upper end adjacent to the floor and having a chamber defined therein which extends downwardly from the upper end (see figs 2 and 7, and entire column 7), a cover 136 overlying the insert (see fig 3A), the cover having an upper surface, four communication/data jacks 126, 127, 162 mounted within the fitting such that the communication/data jacks do not extend upwardly beyond the upper

surface of the cover (please note that a wing 162 which allows the mounting of two additional data jacks, see figs 2,6-7, and entire column 7 and column 8 lines 8-10) and four simplex power receptacles 98,99 with two housings (see figs 5-7) are mounted within the fitting such that the power receptacles do not extend upwardly beyond the upper surface of the cover (see figs 2 ,6-7, column 6 lines 48-50) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), but fails to disclose each of said power receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-67). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

Regarding claim 13, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including at least two of the simplex power receptacles are wired in separate electrical circuits (see figs 5-7 and column 1 lines 54-57 and the entire column 6 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations,

Whitehead discloses:

Regarding claim 14, a flush poke-through wiring fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a floor opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the poke-through fitting comprising: an insert sized 20 (body, see figs 1-2, entire column 2 and column 5 lines 4-65) for insertion into the circular floor opening (see figs 1-2 and entire abstract); a cover 136 overlying the insert (see fig 3A), the cover having an upper surface; and four simplex power receptacles 98,99 with two housings (see figs 5-7) are mounted within the fitting in a protected fashion such that the power receptacles do not extend upwardly beyond the upper surface of the cover (see figs 2, 6-7, column 6 lines 48-60) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), but fails to disclose each of said power receptacles having a separate housing.

Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-67). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles. It is noted that the modified assembly of Whitehead meet the structural limitations.

Whitehead discloses:

Regarding claim 16, a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the fitting comprising: four communication data jacks 126,127, 162 mounted within the fitting (please note that a wing 162 which allows the mounting of two additional data jacks, see fig 6 and entire column 7 and column 8 lines 8-10), the communication/data jacks being arranged in a longitudinal row (see fig 6); first and second simplex electrical receptacles 88,89 with a housing as well as two additional simplex electrical receptacles 88, 89 with a housing (see figs 5-7) and said first and second electrical receptacles disposed on a first lateral side of the communication/data jack (see fig 6) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2); but fails to disclose each of said receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-67). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught b Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles. It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 17, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including the first pair of the power receptacles are wired in separate electrical circuits from the second pair of simplex receptacles (see figs 5-7 and column 1 lines 54-57 and the entire column 6 of whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Assembly of the device of Whitehead comprises method step of:

Regarding claim 18, a method of delivering flush poke-through wiring fitting 10 (see fig 1, column 4 lines 35-40) that is adapted to be supported in a floor opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the method comprising: providing a cover 146 that overlies the fitting and has an upper surface (see fig 2); mounting four communication/data jacks 126, 127, 162 within the fitting such that the communication/data jacks do not extend upwardly beyond the upper surface of the cover (please note that a wing 162 which allows the mounting of two additional data jacks, see figs 2, 6-7,and entire column 7 and column 8 lines 8-10); mounting four simplex power receptacles 98, 99 with two housings (see figs 5-7) within the fitting such that the receptacles do not extend upwardly beyond the upper surface of the cover (see fig 3B) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), but fails to disclose each of said power receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2

lines 59-67). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

Regarding claim 20, further comprising wiring at least two power receptacles in separate electrical circuits (see column 2 lines 1-7 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Assembly of the device of Whitehead comprises method step of:

Regarding claim 21, a method for providing a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the method comprising: providing an insert sized 20 (see figs 1 and 6, entire column 2, column 5 lines 4-65) for insertion into the circular floor opening (see figs 1-2, entire abstract as well as entire column 2); and mounting separately formed four simplex power receptacles 98,99 with two housings within said insert (see figs 1 and 6) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), but fails to disclose each of said power receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-6).

It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et at as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

Regarding claim 22, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including wherein the receptacles are configured to snap fit into a portion of the insert (see fig 6 of Whitehead).

Regarding claim 24, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including wiring at least two of the receptacles in separate electrical circuits (see fig 7 and entire column 6 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 25, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including a cover assembly 136 including access covers 150 (see fig 3A and entire column 7 of Whitehead) for selectively covering and exposing the simplex power receptacles (see fig 3A and entire column 7 of Whitehead). It is noted that the modified assembly of Whitehead meet the structural limitations.

Assembly of the device of Whitehead comprises method step of:

Regarding claim 26, a method for providing a poke-through fitting 10 (see fig 1, column 4 lines 35-40) of the type that is adapted to be supported in a circular opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the method comprising: providing an insert sized 20 (body, see figs 1 and 6, entire column 2, column 5 lines 4-65) for insertion into the circular floor opening (see fig 2); mounting four simplex power receptacles 98,99 with two housings within the insert (see figs 1 and 6) and also, disclosed that device 10' may be modified to provide only a single receptacle (see column 8 lines 1-2), and mounting four communication/data jacks 126,127, 162 within the insert (please note that a wing 162 which allows the mounting of two additional data jacks, see fig 6, and entire column 7 and column 8 lines 8-10), but fails to disclose each of said power receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-6). It is well known in the electrical art to use a simplex power receptacle having a separate housing as evidenced by Bonilla et al. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles. It is noted that the modified assembly of Whitehead meet the structural limitations.

Assembly of the device of Whitehead comprises method step of:

Regarding claim 27, a method for providing a poke-through wiring fitting 10 (see fig 1, column 4.lines 35-40) of the type that is adapted to be supported in a circular floor opening 12 in a floor 14 of a building structure (see fig 2, entire column 2 and column 4 lines 35-67), the method comprising: mounting four communication/data jacks 126, 127, 162 (please note that a wing 162 which allows the mounting of two additional data jacks, see fig 6, and entire column 7 and column 8 lines 8-10), the communication/data jacks being arranged in a longitudinal row (see fig 7); mounting first and second simplex power receptacles 98 , 99 with a housing on a first lateral side of the communication/data jack as well as two simplex receptacles 98,99 with a housing for mounting third and fourth simplex receptacles on a second lateral side of the communication /data jacks (see figs 5-7) **and also, disclosed that device 10' may be modified to provide only a single receptacle** (see column 8 lines 1-2); but fails to disclose each of said receptacles having a separate housing. Bonilla et al teach the use of a simplex receptacle 18 having a separate housing (see fig 1, column 1 lines 58-65 and column 2 lines 59-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace each of said power receptacles of the assembly of Whitehead having a separate housing as taught by Bonilla et al as required depending on the application at hand, and to facilitate replacement of a single receptacle without replacing two receptacles.

It is noted that the modified assembly of Whitehead meet the structural limitations.

Regarding claim 28, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including wiring the first pair of simplex power receptacles are in a separate electrical circuit from the second pair of-simplex receptacles (see fig 7 and entire column 6 of Whitehead).

Regarding claims 3,8,12,15,19 and 23, the modified assembly of Whitehead disclose all the features of the claimed invention as shown above, including a fire stopping material disposed in the insert (see column 2 lines 50-52, and column 8 lines 53-67 and column 9 lines 1-6 of Whitehead).

With respect to claims 12, 15 and 19, the floor opening formed in the floor and with the poke-through wiring fitting supported in the floor opening, is substantially the same as the fire rating of the floor without the floor opening formed in the floor (see fig 2 of Whitehead).

Response to Arguments

4. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

It is noted that with respect to Simplex Power receptacle, the Applicant does not describe any criticality of said simplex power receptacle.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dhiru R Patel 3/8/06

DHIRU R PATEL
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